

Senate Engrossed House Bill

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Forty-sixth Legislature  
Second Regular Session  
2004

CHAPTER 93

## **HOUSE BILL 2244**

AN ACT

AMENDING TITLE 45, CHAPTER 1, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING SECTION 45-176; PROVIDING FOR THE DELAYED REPEAL OF SECTION 45-176, ARIZONA REVISED STATUTES, AS ADDED BY THIS ACT; RELATING TO RIGHTS TO WATER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 45, chapter 1, article 6, Arizona Revised Statutes,  
3 is amended by adding section 45-176, to read:

4 45-176. Transfer of water rights; water rights settlement;  
5 limitation; required consent

6 A WATER RIGHT MAY BE SEVERED FROM THE LAND TO WHICH IT IS APPURTENANT  
7 OR FROM THE SITE OF ITS USE IF FOR OTHER THAN IRRIGATION PURPOSES WITHOUT  
8 LOSING PRIORITY TO THE WATER RIGHT ESTABLISHED, WITH THE CONSENT AND APPROVAL  
9 OF THE OWNER OF THE RIGHT, AND TRANSFERRED TO AN INDIAN TRIBE, OR THE UNITED  
10 STATES IN TRUST FOR THE BENEFIT OF THE INDIAN TRIBE, WITH A CONGRESSIONALLY  
11 APPROVED TRIBAL WATER RIGHTS SETTLEMENT AGREEMENT FOR LANDS WITHIN THE LITTLE  
12 COLORADO RIVER BASIN FOR VEGETATIVE RESTORATION USE INCLUDING WILDLIFE. THE  
13 RIGHTS SEVERED AND TRANSFERRED PURSUANT TO THIS SECTION SHALL NOT, IN TOTAL,  
14 EXCEED THREE THOUSAND SIX HUNDRED ACRE FEET. THE SEVERANCE AND TRANSFER IS  
15 SUBJECT TO APPROVAL BY A COURT OF COMPETENT JURISDICTION, OR IF NONE, BY THE  
16 DIRECTOR PURSUANT TO SECTION 45-172.

17 Sec. 2. Delayed repeal

18 Section 45-176, Arizona Revised Statutes, as added by this act, is  
19 repealed from and after December 31, 2019.

APPROVED BY THE GOVERNOR APRIL 16, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 16, 2004.